

Accordingly:

- The Court hereby **ACCEPTS** and **ADOPTS** Magistrate Judge Carter's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(a);
- Defendants' Motion to Amend (Doc. 108) is **DENIED**;
- In light of this Order, Defendants' Motion to Dismiss (Doc. 109) is **DENIED AS MOOT**;
- The bench trial on the issue of damages in this matter is hereby **RESET** for **Tuesday, July 16, 2013**;
- The parties **SHALL NOT** file any additional, substantive pretrial motions or briefs, including, but not limited to, motions in limine.

SO ORDERED this 26th day of June, 2013.

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE